

A bill for the relief of John Barton, correctly enrolled, properly signed and presented to the Governor.

A bill to repeal a portion of the 10th Section of the act of February 10th, 1852, entitled an act, relating to lands in Peters' Colony ; read 2d time.

On motion of Mr. Potter, the caption of the bill was amended by adding,

"And to prohibit patenting upon Certificates issued under the provisions of said Section of said act," and the bill amended by striking out all after the word "repealed," in the 9th line of the 1st Section, and inserting as follows, "and also so much of said Section of said act as authorizes locations and surveys to be made upon land Certificates issued by the County Court in said Peters' Colony, and the patenting of the same by the Commissioner of the General Land Office is hereby repealed, and the Commissioner of the General Land Office is hereby prohibited from patenting upon any surveys made upon land Certificates, issued under the provisions of said Sections of said act, since February 1st, 1855."

The bill was then ordered to be engrossed.

On motion of Mr. Taylor, of Fannin, the rule was suspended ; bill read 3d time and passed.

On motion of Mr. Taylor, of Fannin, the Senate adjourned, until to-morrow morning at 10 o'clock.

THURSDAY, November 19, 1857.

The Senate met pursuant to adjournment—Prayer by the Chaplain—roll called—quorum present.

The Journal of yesterday was read and adopted.

Mr. Truitt presented the petition of Geo. R. Rains ; referred to the committee on Private Land Claims.

Mr. Fall, from the committee on Engrossed Bills, reported, a bill to create the county of Clay, and a bill for the relief of the legal Representatives of Eli Hart, deceased, correctly engrossed.

Mr. Paschal, chairman of the committee on Internal Improvements, made the following report :

The committee on Internal Improvements to which was referred the bill to incorporate the Western Artesian Well Company, have had the same under consideration, and a ma-

majority of the committee instruct me to recommend the passage of the bill with the following amendments:

Amend section 3 by striking out "seven," in the eleventh line, and inserting "four" in lieu thereof.

Amend section 4 by striking out "100" in the ninth line, and insert "200" in lieu thereof.

Amend section 5 by adding after "1860," in the eleventh line, "and at least one every six months thereafter."

Add the following proviso to section 3 :

"Provided said Artesian Wells shall, at all times, remain free and open to the use of all persons travelling said roads, for the purpose of watering stock, or obtaining water therefrom without charge.

Mr. Wigfall, chairman of the committee on State Affairs, made the following report :

The committee on State Affairs, to which was referred so much of the Governor's message as relates to a Geological Survey of the State, have had the same under consideration, and beg leave to report, that in the opinion of the committee a Geological survey of the State is demanded, both by the wishes and interests of the people. There is, perhaps, no State in the Union in which such a survey would be attended with more important and useful results. It is believed that our State abounds in rich beds of iron ore, coal, copper, and the more precious metals besides water powers adequate to the purposes of merchant mills, manufactories, &c., and which only need to be pointed out and defined by a Geological Survey to give direction to capital and enterprise in their development.

Many of the citizens of our State may be the owners of property underlaid by rich mineral deposits, the locality of which being ascertained by a Geological Survey, might by the application of a little industry and energy, be made the means of enriching the citizens and of contributing largely to the coffers of the State.

Indications of coal are to be found scattered over a large section of our State, and the actual existence of coal-fields has been discovered in the neighborhood of Fort Belknap, and in other sections. If these coal fields are ascertained to be extensive, it would be difficult to calculate their value to large sections destitute of timber, for purposes of fuel.

It is also believed by the committee that there are beds of iron ore in many portions of the State, sufficiently rich to in-

duce the investment of capital in their development, which would be the means of saving thousands of dollars to our citizens, now paid out annually to other States of the Union, and to Europe, for iron for Railroads and agricultural purposes.

But by no means the least important argument in favor of a Geological Survey of the State is the benefit to be derived from a chemical analysis of the soils of its different sections, which the Geologist will be required to make, and by which the farmer may ascertain the character of his soil, and the species of produce to which it is best adapted—information which can be acquired in no other way except by actual experiments, which too often costs years of profitless toil, and sometimes ends in ruin and bankruptcy.

It is especially important, too, that this Geological Survey should be made as soon as practicable, in order that it may be in advance of Railroads projected through our State; for if the coal, iron and copper mines in our State are as rich as the committee are justified in supposing them to be, it is not unreasonable to suppose that their geological locality will have an important influence upon the course of these Railroads. It is said that capital seeks safe investments, and upon the same principle Railroads will pursue that course, and penetrate that region promising the largest patronage.

In addition to this, it is the opinion of the committee that no instrumentality could be more effectual in bringing about a domestic commerce between the different sections of the State than the development of her mineral wealth and resources.

But it is not the design of the committee to mention all the advantages that would likely result from such a survey—they are too self-evident to require enumeration. Besides, the importance and utility of the measure seem to be generally conceded. The committee therefore instruct me to report the accompanying bill and recommend its passage.

A bill to provide for a Geological and Agricultural Survey of the State; read first time.

On motion of Mr. Taylor of Cass, the rule was suspended, bill read a second time—made the special order of the day for Wednesday next, the 25th inst., and one hundred copies of the bill and report ordered to be printed.

Mr. Hyde introduced a bill to extend the time for locating and returning to the General Land Office certificate No. 70, issued to the Buffalo Bayou, Brazos and Colorado Railway

Company ; read first and second times and referred to the committee on Private Land Claims.

A message was received from the House, informing the Senate that the House had passed a joint resolution, originating in the Senate, instructing our Senators and requesting our Representatives in the Congress of the United States to call upon the United States Government to refund the money heretofore paid out by the State of Texas for the defence of the frontier since the 28th day of February, 1855.

And also that the House had concurred in the amendment of the Senate to a bill appropriating \$15,000 to defray the contingent expenses of the seventh Legislature.

#### ORDERS OF THE DAY.

A bill supplemental to and amendatory of an act entitled an act to regulate Railroad companies, approved February 7, 1853, made the special order of to-day, was read.

On motion of Mr. Wigfall, the bill was amended by adding to section 4 :

“ And provided further, that the last preceding proviso shall not operate against the State, under any loan that has been or may be made to any Railroad company, under an act to provide for the investment of the Special School Fund in the bonds of Railroad companies incorporated by the State, approved August 13, 1856.

On motion of Mr. Taylor of Cass, the bill was amended by adding to section 2d :

“ And every meeting of the directors of any Railroad company, for the transaction of business, shall be held at the office of said company required by this section.”

On motion of Mr. Potter, the bill was amended by inserting in section 5, line nine, after the word “ same,” “ For stock subscriptions or otherwise.”

On motion of Mr. Guinn, the vote adopting the amendment offered by Mr Wigfall was reconsidered.

Mr. Wigfall then withdrew the amendment.

On motion of Mr. Quinan, the bill was amended by adding the following as an additional section :

“ That the provisions of this act shall not apply to any debt. execution, or deed of trust held by the State against any Railroad company, because of any loan made by the State to any company under the provisions of an act to provide for the investment of the School Fund, or any other law which author-

izes the loan of money to Railroad companies. Nor shall any creditor of any Railroad company be allowed to make the State a party to any suit brought for the enforcement of any debt, mortgage, deed of trust, or lien on any Railroad, or permitted to require the State to foreclose any lien which it may have upon any road; but the lien of the State and its right to enforce the same shall continue as if this act had never been passed, and as if no sale had been made under the provisions of the same."

On motion of Mr. Stockdale, the bill was amended by striking out all after, "provided," in line thirteen, section 4, and inserting:

"That the stockholders of no company whose franchise and road-bed have been sold, shall be held liable to pay to the purchasers under forced mortgage, or trust sale, the unpaid balance of their stock; but they shall be still liable to pay the same in liquidation and discharge of the unpaid debts of the company so sold out."

Mr. Lott offered the following amendment: Strike out in the second line of section 4, after "trust," to the word "franchises," in fourth line, and insert:

"All the bona fide stockholders shall be entitled to all the rights, privileges, and franchises, *pro rata*."

Lost by the following vote:

YEAS—Messrs. Fall, Lott, Martin, Pirkey, Russell and Walker—6.

NAYS—Messrs. Burroughs, Caldwell, Graham, Grimes, Guinn, Herbert, Hyde, McCulloch, Maverick, Paschal, Potter, Quinan, Scarborough, Shepard, Stockdale, Taylor of Cass, Taylor of Fannin, Taylor of Houston, Throckmorton, Truitt, Wigfall and Wren—22.

Mr. Pirkey moved to strike out the 4th and 5th sections of the bill; lost by the following vote:

YEAS—Messrs. Burroughs, Fall, Lott, Pirkey, Taylor of Cass, Taylor of Fannin, Walker and Wren—8.

NAYS—Messrs. Caldwell, Graham, Grimes, Guinn, Herbert, Hyde, Maverick, McCulloch, Martin, Paschal, Potter, Quinan, Russell, Scarborough, Shepard, Stockdale, Taylor of Houston, Throckmorton, Truitt and Wigfall—20.

Mr. Graham offered the following amendment to come in at the end of section 4:

"And provided further, that no deed of trust, mortgage, or other instrument of writing providing for the sale of any road-

track, franchise, or other property belonging to any railroad company, shall be made or executed without the consent of at least a majority of bona fide stockholders of the company."

Pending which, on motion of Mr. Taylor of Houston, the Senate adjourned until to-morrow morning at 10 o'clock.

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FRIDAY, November 20th, 1857.

The Senate met pursuant to adjournment—prayer by the Chaplain—roll called—quorum present.

The Journal of yesterday was read and adopted.

A message was received from the House informing the Senate that the House had passed "A bill, originating in the Senate, for the relief of the Galveston, Houston and Henderson Railroad Company, and in amendment of the act of incorporation thereof, and of the acts amending the same and in addition thereto."

Mr. Russell, chairman of the committee on Engrossed Bills, reported "A bill to repeal a portion of the 10th section of the act of February 10th, 1852, entitled an act relating to lands in Peters' Colony, and to prohibit patenting upon certificates issued under the provisions of said section of said act," correctly engrossed.

Mr. Taylor, of Houston, chairman of the committee on Enrolled Bills, reported:

A Joint Resolution instructing our Senators and requesting our Representatives in the Congress of the United States, to call upon the Government of the United States to refund the money heretofore paid out by the State of Texas for the defence of her frontier since the 28th day of February, 1855; and

"A bill for the relief of the Galveston, Houston and Henderson Railroad Company, and in amendment of the act of incorporation thereof, and of the acts amending the same and in addition thereto," correctly enrolled, properly signed and presented to the Governor.

Mr. Guinn, chairman of the committee on Claims and Accounts, made the following report:

The committee on Claims and Accounts, to which was referred the petition of the soldiers of the 1st regiment of Infantry, have had the same under consideration, and after mature